

# **Exhibit G**

## DECLARATION OF JOEL BENCAN

Pursuant to 28 U.S.C. § 1746, I, Joel Bencan, hereby declare as follows:

1. I have personal knowledge of the matters in this declaration and this is what I would testify to if called as a witness in Court.

2. I am 71 and am otherwise competent to testify.

3. I live in Ambler, Montgomery County, Pennsylvania, and I vote in state house legislative district 151. I have lived in Ambler for over 40 years.

4. I am a retired pharmacist.

5. I am a registered voter at my home in Montgomery County and have been a registered voter for decades. I am a fairly regular voter since the Nixon administration.

6. I started voting by mail in 2020 because of the COVID-19 pandemic.

7. Voting is important, particularly in environments like the 2022 election where the races are close and each vote can have a real impact on who ends up making decisions in government.

8. I voted by mail this year. I requested and received a mail ballot from Montgomery County before the November 2022 election, and it arrived in the middle of October.

9. When I received my ballot, I filled it out over a weekend. I put it in both envelopes and signed and dated the outer return envelope. I put the date for the day I filled out the ballot and later returned it.

10. I did not mail the ballot because my wife suggested it would be safer to put it into a ballot drop box.

11. On October 29, I went to an event at the Upper Dublin Library and took my ballot because there was a drop box outside. Someone (I think from the county) was monitoring the drop box. The person asked me if I had signed and dated the outside of the envelope, which I had. I showed it to the person who verified that it looked complete. I then put my ballot in the drop box.

12. I later received an e-mail notification that Montgomery County had received the ballot. I had no reason to think there was anything wrong with my ballot.

13. On Election Day, I received an e-mail and phone calls saying that the ballot had been rejected. A true and correct copy of the November 8, 2022 email I received from the Department of State is attached as Exhibit A. However, I was away from home all day and did not receive the messages. My grandchildren had the day off of school, so my wife and I spent a wonderful day with them in Bucks County, to help out our son and daughter-in-law. By the time I was home and saw the messages, it was around 8:30 PM and the polls had closed, meaning that it was too late for me to do anything to correct whatever problem there may have been with my ballot.

14. The only reason I can imagine for rejecting my ballot as incorrectly dated is that the date I wrote on the envelope was the date that I filled out the ballot, rather than the date I returned it to the drop box (which happened a week or two later).

15. I never heard anything from Montgomery County about a problem with

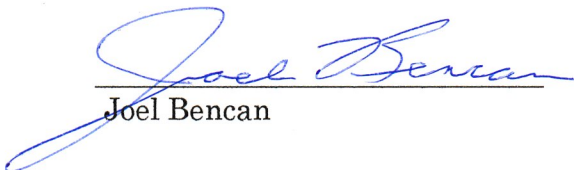
my ballot before Election Day. If I had an opportunity to correct the issue, I certainly would have done so, since I want my vote to count.

16. I am very upset that my ballot will not count. It seems very unfair that my ballot will not count because of something that has nothing to do with when the ballot is received or whether I am qualified to vote.

17. I think it's very important to vote and that everyone's voice is heard. I think everybody who votes should have their ballots counted. I would like my ballot counted for the November 2022 election.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 16<sup>th</sup> of November, 2022 in Ambler, Pennsylvania.

  
Joel Bencan

# Exhibit A

On Tuesday, November 8, 2022, 11:26 AM, RA-voterregstatcert@state.pa.us wrote:

Dear JOEL A BENCAN,

Your ballot has been received by MONTGOMERY County on 11/08/2022.

Your ballot status has been updated to cancelled because you did not sign and/or you did not date the declaration on your ballot envelope.

If you have questions about your ballot, please contact MONTGOMERY County at (610) 278-3280.

Thank you

\*\*\*\*Please do not reply to this email.\*\*\*\*